

**MINUTES FOR THE
MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, MAY 25, 2007
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HI 96813

Interim Chairperson Allan Smith called the meeting of the Board of Land and Natural Resources to order at 9:12 a.m. The following were in attendance:

MEMBERS

Mr. Allan Smith
Mr. Tim Johns
Mr. Ron Agor

Mr. Rob Pacheco
Mr. Jerry Edlao
Mr. Samuel Gon III

STAFF

Mr. Dan Quinn, SP
Ms. Charlene Unoki, LD
Mr. Wayne Haight, DAR
Mr. Paul Conry, DOFAW

Mr. Ed Underwood, DOBOR
Mr. Sam Lemmo, OCCL
Mr. Dan Polhemus, DAR

OTHERS

Mr. Colin Lau, Attorney General
Ms. Colette Machado, OHA Trustee
Mr. Keola Nakanishi, Halau Ku Mana
Ms. Lea Hong, D-3
Mr. John Hussein, D-3
Mr. Larry McEleny, D-3
Mr. Kamuela Lindsey, D-3
Mr. Black McEleny, D-3
Mr. John Carroll, D-8
Mr. Peter Schall, J-2
Mr. Paul McElroy, J-2
Ms. Katheryn Graham, K-1
Ms. Judith Nelson, K-1
Mr. George Antonelia, F-2
Ms. Marty Townsend, F-2
Mr. Don May, F-2

Friends of He'eia:
Ms. Joan Malama
Mr. Gene Naipo
Ms. Carol McLean
Ms. Diana Burg
Mr. Bill Petty, D-3
Mr. Keanu Young, D-3
Mr. Al Itamoto, D-3
Mr. Ernie Lau, D-2
Mr. Duane Fisher, J-2
Mr. Bernard Bays, K-1
Mr. Paul Nelson, K-1
Mr. Mark Roy, K-2
Mr. Shawn Corson, F-2
Mr. Mike Townsend, F-2
Ms. Stephanie Fried, F-1

Mr. Dan Pollaski, F-2

{Note: language for deletion is [bracketed], new/added is underlined}

Item A-1 Minutes of May 11, 2007

Unanimously approved as submitted (Johns, Gon)

Item F-5 Request for Final Approval to Amend Hawaii Administrative Rules Chapter 13-75, Rules Regulating the Possession and Use of Certain Fishing Gear to Include Rule Amendments for the Use of Lay Nets on the Island Of Molokai

Mr. Dan Polhemus, Administrator for Division of Aquatic Resources (DAR), reported amendments to the Lay Gill Net Rule that the Board passed last year, specifically regulating lay gill net use on the island of Molokai. The original submittal was taken for public comment and as a result staff made some revisions to the rule. One of which was amendments to the use of gill nets on the island of Molokai in response to community concerns. At that time the Attorney General (AG) representative constituted a substantive change to the rule which required this be taken out for additional public hearings. It was done. The public comment was in overwhelming support of these rule amendments which staff is bringing back to the Board.

Ms. Collette Machado, Trustee with Office of Hawaiian Affairs representing Molokai and Lanai, emphasized they had a meeting attended by fishermen and commercial fishermen twice in each district of Molokai to gather input. Few opposed to end special requirements. The consensus is to malama this effort. Gathering of fish is part of a subsistence living. Molokai cannot depend on DOCARE to regulate resources. Rules would assure continued gathering rights.

Unanimously approved as submitted (Edlao, Johns)

Item E-1 Request for Approval for a One-Year Extension of a Lease to the Friends of Heeia State Park, and Approval to Issue a Public Notice for a Request for Qualification/Request for Proposal (RFQ/RFP) for Long-Term Lease for Heeia State Park, Oahu

Mr. Dan Quinn, Administrator for State Parks, reported Friends of Heeia has been operating at the site for over 25 years. It was renewed for a 3 year lease. Other groups have expressed interest in doing the same. The best resolution obtained would be through a Request for Qualification/Request for Proposal (RFQ/RFP) process to obtain proposals from other organizations. One proposal and a letter of interest have been submitted. Staff is asking for an extension till August 2008.

Member Johns inquired what is the new lease duration? Mr. Quinn replied 20-25 years. If the proposal includes changes and improvements to the park then some organization period would be included. Member Johns asked the way the submittal is written it looks like it won't come back to the Board? Mr. Quinn apologized it will. He recommended adding a number 5 to take the issue back to the Board before the selection is made by the Chairperson.

Ms. Joan Malama, President of Friends of Heeia State Park, described how they brought children to the park and taught them native Hawaiian culture. They also have programs for seniors. Hula troops and weddings are held at the site.

Mr. Gene Naipo, Director of Friends of Heeia State Park, reported he has been with the park since 1987. He believes every child is family and it is his duty to teach them Hawaiian culture and would like to continue his work.

Ms. Carol McLean, Administrator for Friends of Heeia State Park, described the park, it's history and it's 501(C) (3) status. She has been at the park for 25 years. They have allowed non-profits to use the area free of charge. The organization needs a long term lease to help the community. The 1 year extension has been a nightmare to manage. She asks the Land Board to set-up timelines/deadlines for the RFP/RFQ process. She suggested selecting a committee to determine use of the park.

Mr. Quinn replied he believes the process can be done in 12 months.

Ms. Diana Burg, Board Member of the Friends of Heeia State Park, explained she is not happy with the treatment they've received by staff and with the entire process. She suggests the Board immediately extend the lease for 3 years. The process is wasting time.

Member Johns recommended we go through this public process to filter out legitimate bidders.

Unanimously approved as amended (Gon, Johns)

Item E-2 Request to Amend Prior Board Action of September 22, 2006, Agenda Item E1, and to Approve the Issuance of a Lease for State Parks lands at Makiki Valley State Recreation Area, Makiki, Oahu to Mana Maoli for educational uses.

Mr. Dan Quinn of State Parks reported this item is to amend the lease to Halau Ku Mana's 501 (c) (3) entity to read Mana Maoli. The Attorney General believes public access should not be given to the shaded area on the map which are classrooms. Mana Maoli will sublease to Halau Ku Mana.

Mr. Keola Nakanishi, Director of Halau Ku Mana Public Charter School, reported they will be sending in written testimony verbalized today. No changes to original lease. He agrees with Mr. Quinn's effort to restrict public access. His priority is to the keiki, but would like to continue involvement of the community.

Unanimously approved as submitted (Gon, Edlao)

Item D-3 Final Approval of the Acquisition of Private Lands and Set Aside to Department of Land and Natural Resources, Division of State Parks for State Park Reserve, Pupukea-Paumalu, Koolauloa, Oahu, Tax Map Keys: (1) 5-9-05:38 & 82 and (1) 5-9-06:01, 18 & portion 24

Member Tim Johns recused himself.

Ms. Charlene Unoki representing Land Division reported on Jan., 12, 2007 the Land Board gave Land Division permission for acquisition of 1,103 acres. Staff before the Board to ask permission to acquire those lands. These acquired lands to be set aside with State Parks \$2, 978,955 or fair market. Recently staff discovered amendments to this submittal regarding two parcels in Pupukea that wasn't taken out of the Governor's Proclamation. Staff will amend recommendations 2 and 3. Also recommendation 4, 5 and 6.

Member Edlao inquired about the rock fall situation? Ms. Unoki replied staff will have someone assess it. Mitigation will be expensive.

Ms. Lea Hong, Hawaiian Islands Program Director for Trust for Public Land, urged Board of Land & Natural Resources (BLNR) to support staff's recommendation. They have been working on the project for over 5 years. Timeline is very long. Mr. John Hussein of the U.S. Army Environmental Command supports staff. Mr. Larry McElheny supports testimony of previous speakers. Mr. Bill Petty, nearby resident, explained this is an opportunity to preserve and protect the land. Mr. Kamuela Lindsey, a descendant of Chief Kuulei where Pupukea was part of his domain, recommends BLNR approve these actions. Mr. Keanu Young a Legislative Aid for Councilman Donovan DelaCruz submitted written testimony in support. Mr. Black McElheny was raised in the area and expressed his support. The community is blessed with obtaining funding for the acquisition and long term stewardship with the State and County. Mr. Al Itamoto, Executive Vice-president of Obayashi Hawaii Corporation, submitted written testimony in support of acquisition.

Mr. Quinn explained area should be preserved. Rock fall issue is a concern. Staff believes it is an issue and feels an assessment needs to be done. Staff believes this acquisition needs to go through.

Unanimously approved as amended (Gon, Agor)
Recommendations 2 and 3:

2. Authorize the issuance of a management right-of-entry permit to State Parks covering **TMKs (1) 5-9-05:38 & 82 and (1) 5-9-06:01, 18 & 24 por.** under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
3. Approve and recommend to the Governor the issuance of an executive order setting aside **TMKs (1) 5-9-05:38 & 82 and (1) 5-9-06:01, 18 & 24 por.** to the State Parks Division for a State Park Reserve under terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:

And to include the following Recommendations:

4. Approve and recommend to the Governor the issuance of an executive order withdrawing **TMKs (1) 5-9-06:03 and 07** from the Pupukea Forest Reserve under terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most recent executive order form as may be amended from time to time;
 - B. Authorize DOFAW to conduct a public hearing to withdraw approximately 27.98 acres of land from the Pupukea Forest Reserve, under provisions of HRS §183-11, Government Land for Forest Reserves and §183-12, Notice of Hearing.
 - C. Authorize the Chairperson to set the date and time for a public hearing, and appoint a Hearing Master.
 - D. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the withdrawal;
 - E. Review and approval by the Department of the Attorney General; and
 - F. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.
5. Authorize the issuance of a management right-of-entry permit to State Parks covering **TMKs (1) 5-9-06:03 and 07** under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;

- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State
- 6. Approve of and recommend to the Governor the issuance of an executive order setting aside TMKs **(1) 5-9-06:03 and 07.**to the State Parks Division for a State Park Reserve under terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Item D-4 Request for Clarification of Character of Use Provision, General Lease No. S-3856, Hemaloto Alatini and Leona Alatini, Waimanalo, Koolaupoko, Oahu, TMK: (1) 4-1-024:023

Ms. Charlene Unoki of Land Division reported staff feels turf grass is agriculture use and wanted to check with the Board if the owners can do this.

Mr. John Carroll expressed his support with staff recommendation.

Unanimously approved as submitted (Johns, Edlao)

Item D-2 Acquisition of Private Lands and Set Aside to the Hawaii State Judiciary for Development of the Kapolei Judiciary Complex in the City of Kapolei, Island of Oahu, TMK: (1) 9-1-16: Por. 1

Ms. Unoki reported staff wants to acquire lands. 4.3 acres (will recommend 10.5 acres at no cost to the State) for the judiciary complex.

Mr. Ernie Lau of DAGS Public Works explained the process of executing a contract start date is 7/1/2007 and would appreciate the Board's support on this project.

Unanimously approved as submitted (Gon, Johns)

Item J-1 Issuance of Revocable permit to Honolulu Transpac, Ltd. for Support Areas for Support Areas for its Regular Biannual California to Hawaii Yacht Race finishing at the Ala Wai Small Boat Harbor, Tax Map Key (1)-2-3-037: portion of 12.

Mr. Ed Underwood, Administrator for Division of Boating and Ocean Recreation (DOBOR), reported this event will be modeled by the same RP issued 2 years ago. It runs for about 2 weeks, 7/20/2007 to 8/2/2007. Staff is asking for the Chairperson to be able to amend the dates.

Unanimously approved as submitted (Johns, Pacheco)

Item J-2 Rescind Board action of January 27, 2006 approving a Joint Use Agreement between the State and Hilton Hawaiian Village LLC. Approve a Revised Joint Use Agreement for Dewey Lane Improvements between the State, Hilton Hawaiian Village LLC and Owners of Ilikai Apartment Building, Inc., Waikiki , Oahu, Tax Map Key Numbers: (1) 2-6-010-007 (por.): (1) 2-6-009-002; (1) 2-6-009-010; (1) 2-6-10:Roadway

Mr. Ed Underwood of DOBOR reported a brief history of the issue. The Ilikai and an owner of one apartment requested a contested case hearing because part of the easement involved the Ilikai property. The Ilikai and Hilton came to an agreement. The State is in a new agreement with Hilton where Hilton will maintain and make all improvements at their cost.

Member Johns clarified the contested case was brought by Hawaii Association of Hotel Apartment Owners and one individual.

Mr. Kamuela Lindsey a resident of the Ala Wai Boat Harbor explained he filed a letter of opposition to any action by the Board toward Hilton. Hilton came to community board meetings and lied to them of their intentions. Hilton employees use the harbor parking. They have pumped sludge into the harbor and there is an on-going investigation on this. The community believes their construction activities have violated State and Federal water quality laws. He wants the Land Board to wait until the Federal EPA and the State Department of Health (DOH) conduct and finish their investigations. If violations are found he wants the Land Board to take a closer look at Hilton's plans. He wants the Land Board to defer the matter until completion of the investigation.

Mr. Peter Schall, a former Senior Vice-President for Hilton Hotels Corporation in Hawaii and now a consultant to Hilton, explained the Lagoon is owned by the State. Hilton is undertaking an \$18 million rejuvenation of the Lagoon and has obtained all the proper

permits including the 401 clear water act. Inadvertently, the contractor pumped down too far which caused the spill. Hilton has placed the contractor on notice because such oversights are unacceptable to Hilton. The contractor has taken all the necessary precautions that had occurred. He confirmed the investigation is by DOH Clean Water Branch. He clarified that Hilton does not encourage employees to park at the end of the Lagoon, but it is a public lot and as tax payers it is their prerogative. Hilton does provide parking for their employees.

Mr. Duane Fisher, an Attorney for Hilton, responded that they do not see a connection between the concerns raised and the joint use agreement. The only change is the agreement with Ilikai which they have approved.

Member Pacheco asked there is missing testimony about the right turn lane. Folks want a left turn from Dewey Lane. Mr. Paul McElroy, Project Manager and oversees the construction activities, understands the traffic issues. Mr. Schall explained Hilton has a Traffic Management Plan where it will not divert to the harbor area.

Unanimously approved as submitted (Johns, Edlao)

Item K-1 Conservation District Enforcement File OA-07-31 Regarding Alleged Unauthorized Repair/Reconstruction of a Boulder Revetment Within the Conservation District Located at Mokuleia, Island of Oahu, TMK (1) 6-8-003:018, by Michael Daily

Mr. Sam Lemmo, Administrator for Office of Conservation and Coastal Lands (OCCL), reported (some handouts, addendums were passed out) this was deferred from the last Board meeting and the owners were to meet with the community. An unauthorized shoreline structure was recently improved where the land owner was asked to stop and did not. It has been the policy of the Board to discourage these types of structures. He takes issue with some things said in Mr. Bays report. He agrees if wall is removed house is in jeopardy. He is reaffirming staff's previous recommendation of fines, cost and removal of structure in 60 days.

Mr. Bernard Bays representing the owner appreciates the 30 day deferral. Exhibit 5 shows damage done to the home. A rock revetment was put in 1965 and he doesn't know if it complied with law. The recent revetment was held up until 2005. In March 2005 DLNR conducted enforcement actions due to rocks falling off the wall on to the shoreline which is in the conservation district. Wall failed this past winter thus resulting in damages to the home (exhibit 5). Coastal engineer does not believe wall is a problem. If wall was not constructed home would be destroyed. The owner would like to build a wall behind the current revetment even though it is extremely costly. They would like a permit for this new wall, but until the wall is built the owners want to leave in the current wall. The owners met with the community members and would like to keep the neighbors happy therefore they'll spend the money to construct a new wall. Once the new wall is constructed they'll remove the un-permitted wall. Owner wants item

deferred to conduct above action and fines suspended. The target completion date is 180 days.

Ms. Katheryn Graham from the Mokuleia Community Board asked what is the legality of the sea wall? She feels the Daly's have not fulfilled their part of the deal with the structural engineer.

Mr. Paul Nelson, Chairman of Sea Shore Access Community, expressed his concern for public safety. He feels the public cannot pass along the wall. Unsure with how things stand.

Ms. Judith Nelson explained if the new wall is built there is an obligation to provide public access. Member Johns noted that is up to the County to determine.

Mr. Bays replied their goal is to increase the public access area to the beach. The Daly's are allowing access along the back of the house to reach Polo Field. He requested a Contested Case Hearing.

Member Johns noted you have 10 days to file.

**Unanimously approved as amended (Johns, Pacheco)
Change #4 from 60 days to 180 days.**

**Item K-2 Conservation District Use Application MA-3392 by Applicant
Olowalu Elua Associates to Hold Private Commercial and Non-profit
Events such as Weddings, Fundraisers, and Gatherings at the former
Pioneer Mill Plantation Manager's House and Garden located in the
Olowalu Ahupua`a, Lahaina District, Maui, TMK (2) 4-8-03:5**

Mr. Sam Lemmo of OCCL reported applicants are requesting a change of use from non-conforming to events, weddings, fundraisers, etc. Some concern regarding commercialization of a conservation district area. Staff feels it's reasonable with some caveats to the conditions.

Mr. Mark Roy, consultant assisting the applicant, verified at public hearing there was no opposition. In regards to Condition #12, Applicant will send a letter if event is larger than 200 people in concurrence with recommendation.

Member Johns asked Mr. Lemmo the House Rules will not be amended after the approval? He recommended he include a condition to state "cannot change House Rules." Mr. Lemmo replied all modifications to the House Rules shall be approved by OCCL and not the Land Board.

Unanimously approved as amended (Edlao, Agor)

**Item F-2 Request for Authorization and Approval to Issue a
Papahānaumokuākea Marine National Monument Research Permit
to Dr. George Antonelis , National Oceanic and Atmospheric
Administration (NOAA), Pacific Islands Fisheries Science Center
(PIFSC) for Access to State Waters to Conduct Shark Control
Activities.**

Mr. Dan Polhemus of DAR reported there is a large mortality of pre-weaned juvenile monk seal pups especially in French Frigate Shoals. They will continue to decline at this rate and could go into extinction.

Mr. Wayne Haight, State Permit Coordinator for the North West Hawaiian Islands and DAR scientist, had concern noted in submittal which he described. If one monk seal is killed it outweighs the end efforts. They don't oppose the taking of the sharks, but the method used.

Mr. George Antonelis explained only area pre-weaned seals are eaten by Galapagos sharks. Eight pups weaned since the last time before the Board. Percentage of pups killed is increasing. Limit catch by the size of the hook. Method has not been used before to target specific species. He spoke on various deterrents for the shark and hopes it could be used next year. Feels it is urgent to mitigate this problem.

Mr. Dan Pollaski of the Fish & Wildlife Service reported has been involved in project since 2002 and believes this project is needed. Pups born at Trig Island all show signs of Galapagos shark encounter. In favor of allowing Mr. Antonelis to remove 5 sharks then evaluate. Feels mitigation efforts will help by catch. Staff is split down the middle on this issue. Last year staff testified in favor.

Mr. Shawn Corson, Supervisor for the Monument Management has reviewed permit and discussed concerns and are in favor of issuing a permit.

Ms. Marty Townsend representing KAHEA opposes permit. Concerned with methodology. Not enough research done on alternative methods. Wants State to control commercial fishing in monument as the fish caught is in direct competition with food for the monk seal.

Mr. Mike Townsend reported bottom set gear is a highly sought method for catching sharks. It is a relatively clean method. Has consulted and addressed native Hawaiian community's concern.

Mr. Don May explained he has not heard about protecting monk seals by killing the sharks. Staff should develop technique to protecting seals particularly in shallow waters. He urged BLNR to defer action.

Ms. Townsend explained what the difference is between State and Federal rules. No evidence to show there are many sharks attacking seals or if it is several sharks that are attacking seals.

Approved staff recommendation to disapprove. (Edlao, Gon)

Yes – Edlao, Gon No – Johns, Pacheco, Agor, Smith

Member Edlao expressed he is not confident technique stated will catch the correct predator. Member Gon agreed monk seals are in jeopardy, but not in agreement with technique suggested. Need to look at alternative techniques. Member Johns explained method used is not precise, but it is intended to target the predator. Prefers staff use a controlled method and alternative methods.

Mr. Pohelmus listed the special conditions.

Unanimously approved as amended (Johns, Agor)

Subject to conditions to 2, 4-9 with as amended by Dan Polhemus

Yes – Gon, Agor, Smith, Johns, Pacheco

No – Edlao

Member Edlao departed 12:25 pm.

**Item F-1 Request Approval on Revisions to the Joint Permit Form, and
Approval of Special Terms and Conditions, for Permitted Activities
within the Northwest Hawaiian Islands - Papahānaumokuākea
Marine National Monument**

Mr. Dan Polhemus reported members received a Joint Permit Form Template which replaces the previous template that was approved two meetings ago. It has been under consultation with the Attorney General and Federal lawyers. Also the Board requested staff developed a set of special conditions consistent with the NOAA Management Permit that was brought before the Board in January 2007. And, to have it properly imbedded by our Attorney General and agreement by the Federal co-managers.

Ms. Marty Townsend of KAHEA concerned with submittal and would like it deferred. Joint permit fails to uphold Refuge Rules. Wants BLNR to inform staff of 45 day comment pd feels submittal is inconsistent with BLNR April 27 meeting. Bioprospecting was banned, but new rules allow it (Item 21).

Ms. Stephanie Fried of Environmental Alliance explained language in NOAA permit document was altered

(Member Gon departed at 12:48 pm.)

Mr. Colin Lau of the Attorney General's office reported bio-prospecting has not been addressed by State law. The co-trustees agreed that bio-prospecting should not be given any commercial application.

BREAK 12:57 – 1:06 pm.

Ms. Stephanie Fried reviewed conditions she stated BLNR previously approved that are in contrast to conditions submitted and omitted by staff.

Mr. Wayne Haight expressed wanting to move ahead with the approval.

**Unanimously approved as amended and deferred (Johns, Pacheco)
Approved recommendation #1 and defer #2 and #3 to next meeting.**

**Item F-3 Request for Authorization and Approval to Issue a
Papahānaumokuākea Marine National Monument Special Ocean Use
Permit to Mark Brownlow, British Broadcasting Corporation (BBC)
for Access to State Waters to Conduct Documentary Filming
Activities.**

Mr. Dan Polhemus of DAR reported BBC wished to film at French Frigate Shoals and staff approves.

Mr. Dan Pollaski of Fish and Wildlife Service met with BBC and emphasized bringing place to the people vs people to the place. They think it will be educational to the people of the world.

Member Johns asked to make clear the area is not open to the general public. Mr. Polaski agreed, yes they can. The BBC will be chaperoned by French Frigate Shoals staff.

Ms. Marty Townsend of KAHEA emphasized the area is not open to the general public and wants BLNR to make it a condition on the permit. Ms. Stephanie Fried echoed Ms. Townsend's comment.

**Unanimously approved as amended (Johns, Pacheco)
Amended with additional condition to make it clear to encourage area is closed.**

**Item F-4 Request for Authorization and Approval to Issue a
Papahānaumokuākea Marine National Monument Native Hawaiian
Practices Permit to Dr. Pualani Kanaka'ole Kanahele for Access to
State Waters to Conduct Native Hawaiian Cultural Activities.**

Unanimously approved as submitted (Johns, Agor)

Item C-1 Request for Approval to Enter into a Contract with Albert H. Agliam dba Remote Fencing Outfitters to Install Ungulate-Proof Fencing within Pahole Natural Area Reserve, Oahu

Item C-2 Request for Approval of the Grant and Project Proposal Selection Process for the Fiscal Year (FY) 2007 Legacy Land Conservation Program Application Review

Unanimously approved as submitted (Johns, Agor)

Item D-1 Mutual Cancellation of General Lease No. S-4195 and Issuance of Direct Lease to Lokahi Pacific for Affordable Rental Housing Serving Low-Income Individuals Purposes, Kamaole, Maui, TMK: (2) 3-9-5:46.

Item D-5 Quitclaim of State's Interests, if Any, in Bannister Place to the City and County of Honolulu, Kalihi, Oahu, TMK: (1) 1-2-14:

Unanimously approved as submitted (Johns, Pacheco)

Item L-1 Approval for Award of Construction Contract - Job No. 48-HW-E, Honokaa Well Development, Honokaa, Hawaii

Item L-2 Certification of Election and Appointment for Kona Soil and Water Conservation District Director

Unanimously approved as submitted (Pacheco, Johns)

There being no further business, Interim Chairperson Smith adjourned the meeting at 1:32 p.m. Tapes of the meeting and all written testimony submitted at the meeting are filed in the Chairperson's Office and are available for review. Certain items on the agenda were taken out of sequence to accommodate applicants or interested parties present.

Respectfully submitted,

Adaline Cummings
Land Board Secretary

Approved for submittal:

ALLAN SMITH
Interim Chairperson
Department of Land and Natural Resources